IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition NO. 5124 /2005

HON'BLE S.B.

OTHER MATTER

PETITIONER	:	Suresh Kumar Agrawal,
Appellant/defendent		aged about 54 years, S/o Late Rameshwar Lal Agrawal, Properiter Abhilasha Traders Gurunanak Chowk, Raipur Tahsil & Distt. Raipur (C.G.)
		VERSUS
RESPONDENT	:	Anand Kumar Sao, Aged 29 Years,
Plaintiff		S/o Atma Ram Sao, R/o Banjari Chowk Raipur (C.G.)

WRIT PETITION U/A 227 OF THE CONSTITUTION OF INDIA

(50)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 5124/2005 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	06.01.2006 Shri Abhay Kumar Tiwari, counsel for the petitioner. Shri B.P. Sharma, counsel for the respondent. This is a petition filed under Article 227 of the Constitution of India against the impugned order dated 8.9.2005 by which two interim applications filed under order 41 rule 27 and under Order 6 Rule 17 of the Code of Civil Procedure have been dismissed by the First Appellate Court while hearing F.A.No.19-A/2004. At the very outset, learned counsel for the petitioner submits that the matter has been finally heard by the appellate Court and the same is being posted for delivery of judgment on 09th of January 2006. Learned counsel submits that since the matter has already been posted for judgment on 09.1.2006 and 7th & 8 are holidays and his application for grant of interim stay has been dismissed by the High Court on 24.10.2005, while issuing notices to the respondent, he be permitted to withdraw this petition with a liberty to raise all his points at the appropriate stage, if such an exigency arises in future. This prayer is not opposed by counsel for the respondent. This petition is permitted to be withdrawn by the petitioner, with the aforesaid liberty granted in his favour. This petition stands finally disposed of. **Sd/-** **Sunil Kumar Sinha** **Judge**	

Rao

SP/FS/2005 - 20,000

10.1.06 13.1.06